

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

RYAN LLC,

Plaintiff,

v.

FEDERAL TRADE COMMISSION,

Defendant.

No. 3:24-cv-00986-E

**MOTION OF THE SECURITIES INDUSTRY AND FINANCIAL
MARKETS ASSOCIATION, THE FUTURES INDUSTRY
ASSOCIATION, THE MANAGED FUNDS ASSOCIATION, AND THE
AMERICAN INVESTMENT COUNCIL FOR LEAVE TO PROCEED
WITHOUT LOCAL COUNSEL**

Pursuant to Local Rule 83.10, *amici curiae* the Securities Industry and Financial Markets Association, the Futures Industry Association, the Managed Funds Association, and the American Investment Council (collectively, *amici*) respectfully seek leave to proceed without local counsel.

1. *Amici* are leading trade associations in the financial-services industry. Because their members would be adversely affected if the FTC's Non-Compete Clause Rule (the Rule) were to go into effect, they intend to seek this Court's leave to file an *amicus* brief in support of Plaintiff's and Plaintiffs-Intervenors' challenges to the Rule.

2. *Amici* respectfully request that the Court permit *amici* to proceed without local counsel. *Amici* intend only to file a motion for leave to file an *amicus* brief, and the motion will be unopposed. Accordingly, *amici* expect that the Court will decide the motion on the papers and without a hearing. In light of *amici*'s limited participation in this case, *amici* respectfully request that the local counsel requirement be waived. If the Court requests that *amici* attend any hearings or otherwise participate beyond the intended *amicus* brief, *amici* will engage local counsel and participate as requested by the Court.

3. *Amici*'s counsel have reviewed the Local Rules for the Northern District of Texas and this Court's procedures.

4. Counsel for Plaintiff and Plaintiffs-Intervenors consent to this motion. Counsel for the FTC take no position on this motion.

CONCLUSION

The Court should grant *amici* leave to proceed without local counsel.

Respectfully submitted,

MAYER BROWN LLP

By: /s/ Nicole A. Saharsky

Nicole A. Saharsky (*pro hac vice*
pending)

Gail F. Levine (*pro hac vice*
pending)

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Securities Industry and Financial
Markets Association, the Futures
Industry Association, the Managed
Funds Association, and the
American Investment Council*

Dated: May 15, 2024

CERTIFICATE OF CONFERENCE

I hereby certify that on May 14, 2024, my office conferred with counsel for Plaintiff, counsel for Plaintiffs-Intervenors, and counsel for the FTC for their position on this motion. Counsel for Plaintiff and for Plaintiffs-Intervenors consent to the relief requested in the motion. Counsel for the FTC take no position on this motion.

By: /s/ Nicole A. Saharsky
Nicole A. Saharsky

CERTIFICATE OF SERVICE

I hereby certify that on May 15, 2024, I electronically filed this document using the ECF System, which will send notification to the ECF counsel of record.

By: /s/ Nicole A. Saharsky
Nicole A. Saharsky